

FINDINGS - EXHIBIT A

DRC2015-00044

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, found that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq, and CA Code of Regulations Section 15000 et seq.) has been issued on June 30, 2016 and is hereby adopted for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, Cultural Resources, and are included as conditions of approval.

Minor Use Permit

- B. The proposed project is consistent with the San Luis Obispo County General Plan and Local Coastal Program because it is 1) associated and consistent with the final phase of the Guadalupe Restoration Project/ Development Plan (D890558D) for site restoration and oil field remediation and decommissioning work; and 2) as conditioned, is consistent with all of the General Plan and Local Coastal Program policies.
- C. As conditioned, the proposed project satisfies all applicable provisions of Title 23 of the County Code including provisions of Sections: 23.07.040 (Energy and Extractive Resource Area); 23.07.060 (Flood Hazard Area); 23.08.286 (Pipelines and Transmission Lines); 23.05.020 through -.039 (Grading); 23.05.040 (Drainage); 23.07.160 (Sensitive Resource Area); 23.07.170 (Environmentally Sensitive Habitats); 23.07.172 (Wetlands); 23.07.176 (Terrestrial Habitat).
- D. As conditioned, the proposed project satisfies all applicable provisions of the County's South County (Coastal) Area Plan Standards as follows: Agriculture – Nipomo and Santa Maria (Osos Flaco) Valleys; Energy and Extractive (EX) – Permit Requirement-Guadalupe Oil Field; Sensitive Resource Area (SRA) – Santa Maria River; Industrial – Union Oil; Open Space – Limitation of Use; Recreation – Guadalupe Dunes; and Rural Lands – Guadalupe Dunes Oilfield.
- E. As conditioned, the proposed project satisfies all applicable provisions of the County's Coastal Plan Policies in Chapter 4 (Energy and Industrial Development) - Section B, Policy 3, & Section I, Policies 36 through 40; Chapter 6 (Environmentally Sensitive Habitats) – Policies 1, 3, 29 and 36; Chapter 7 (Agriculture) – Policy 1; Chapter 12 (Archaeological Resources) – Policies 1, 4 and 6; and Chapter 13 (Air Quality) - Policy 1.
- F. The decommissioning of an existing 6.3 mile length of inactive oil field transportation pipelines will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because, the intent of the work is to neutralize any residual hazardous elements within these pipes, most of the pipeline will be kept in place, the work areas will be restored to original conditions, and during the remedial work the applicant would be required to prepare protective plans (Oil Spill Contingency and Emergency Response Plan, Drainage Plan, etc.) to minimize potential

risks. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.

- G. The proposed project will not be inconsistent with the character of the immediate area or contrary to its orderly development because the project is temporary, will neutralize or remove potentially hazardous liquids or gasses, will minimize surface impacts by leaving most of the pipelines in place, and will restore the 14 work areas to previous conditions.
- H. The proposed project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project for the following reasons: 1) The project is temporary (estimated duration of 13 weeks); 2) expected vehicles at each work area includes two work crew trucks, two pick-up trucks, a 70-barrell vacuum truck, and a water truck; 3) work times would be from 7 am to 5 pm on four of the weekdays per week, (No work would occur on weekends or holidays); and 4) the existing 'Level of Service; is considered acceptable for all access roads to the work areas.

Sensitive Resource Area

- I. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because 1) each of the proposed work areas carefully considered and minimized vegetation removal impacts by limiting the size and location of work areas, as well as use existing access roads to each location; 2) 11 of the 14 work areas are within the Guadalupe Restoration Project (oil field under decommissioning) with an approved Development Plan/Coastal Development Permit and all of the applicable conditions from have been carried forward as conditions of approval for this project; 3) each work area to be restored to pre-construction contours, and topsoil will be set aside to be reapplied as a last step; and 4) a field monitor will be present to insure condition compliance.
- J. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the project is temporary with no physical above –ground improvements, work area siting was carefully considered to maximize the use of existing roads or other areas with no sensitive vegetation, and each work area will be returned to pre-construction conditions.
- K. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because the project is temporary with no above-ground structures; work areas are very small and surrounded by native vegetation, and topsoil will be stockpiled and returned as one the last steps of the construction work.
- L. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because drainage, sedimentation and erosion control measures will be applied for each work area; and no work near the Wetland or Flood Hazard designation will be done during the rainy season.

EX - Combining Designation

- M. The proposed use will not adversely affect the continuing operation or expansion of the energy or extraction use because these uses have been discontinued at the project site for approximately 17 years. It has been determined by the applicant, the County, and responsible and trustee agencies that remediation and restoration (i.e., the proposed project) is the appropriate course of action for the project site.

Coastal Access

- N. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is 1) temporary, 2) will not change the existing surface use, and 3) there is a) existing public shoreline access at the west end of Oso Flaco Road (north end of project), and b) the Guadalupe oil field (south end of project), as a part of the Development Plan approval for remedial work (D890588D, COA #110), will be given to a state agency or non-profit group with a provision that public beach access be provided subsequent to the completion of the remediation work.